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VIA ECF

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square, Room 2201
New York, New York 10007

Re: *Roque De La Fuente v. The Sherry-Netherland, Inc., et al.*
Case No. 17-cv-04759 (PAE)

Dear Judge Engelmayer:

I represent defendants in this matter, which is currently on appeal to the Second Circuit. I write pursuant to Federal Rule 5.2(a) and Rule 4(B) of Your Honor's individual rules to request that the Court order the sealing of Exhibit B to the Declaration of Michael J. Horvitz in support of Defendants' Motion for Summary Judgment, filed on November 20, 2018 [DE 110-2]. The basis for this request is that the exhibit contains Plaintiff's unredacted tax returns. Alternatively, if Your Honor prefers, we can submit for filing a redacted version of the tax returns which omits Plaintiff's social security number and confidential information including financial data that Plaintiff requests not be part of the public record. The confidentiality of this information furnishes good cause for filing under seal. I submit this informal motion based on a request I received earlier this week from Frederick Cains, Esq., counsel for Plaintiff. Based on that request, we asked the Court clerk to place a temporary seal on this exhibit, which was done on the condition that I move before Your Honor to confirm that the filing under seal is permissible. Mr. Cains consents to this application. Thank you for your attention to this matter.

Respectfully,

Peter T. Shapiro

Peter T. Shapiro of
LEWIS BRISBOIS BISGAARD & SMITH LLP

The motion is granted as follows: The Clerk of Court is respectfully directed to limit access to Dkt. 110-2 to the parties and the Court. The parties are directed to file a redacted version of this exhibit on ECF forthwith. SO ORDERED.


PAUL A. ENGELMAYER 4/17/2020
United States District Judge